

## Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 124730  
ORIGIN COME-00

INFO OCT-01 AF-10 ISO-00 EB-08 /019 R

DRAFTED BY COM/BED/OED/MEPD/JLPHILBRICK:DMW  
APPROVED BY EB/OCA/CD:EMSACCHET  
COM/BED/OED/MEPD/LENGLESON  
OM/BED/OED/MEPD/SMCONGER, DIRECTOR  
COM/BED/OIM/HZASSENHAUS (INFO)  
TATE/AF/W/RKOTT (INFO)

-----119774 170217Z /70

P 162144Z MAY 78  
FM SECSTATE WASHDC  
TO AMEMBASSY LAGOS PRIORITY

LIMITED OFFICIAL USE STATE 124730

E.O. 11652:N/A

TAGS:BENC, NI

SUBJECT:MAJOR PROJECT: NATIONAL TRANSMISSION SYSTEM

1. MAJOR EXPORT PROJECTS DIVISION USDOC WAS VISITED TODAY  
BY MAJOR U.S. SUPPLIER OF TELECOMMUNICATIONS SYSTEMS.  
FIRM INTENDS TO BID ON MINISTRY OF COMMUNICATIONS TENDER  
FOR NATIONAL TRANSMISSION SYSTEM - REF. MC/GA 1429/TELS/  
16/C2 - BID OPENING JUNE 7, 1978.

2. FIRM HAD SEVERAL QUESTIONS ON THE TERMS AND CONDITIONS  
OF THE TENDER. MEPD PROMISED TO RELAY QUESTIONS TO  
EMBASSY AND REQUEST PRIORITY RESPONSE BY COB MONDAY,  
MAY 22 TO ENABLE FIRM TO INCORPORATE ANSWERS INTO ITS  
BID. QUESTIONS FOLLOW:

GENERAL CONDITIONS (NONSPECIFIC)  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 124730

ARE SELLERS CONSIDERED NON-COMPLIANT IF THEY TAKE  
EXCEPTIONS? IF NOT ARE EXCEPTIONS TAKEN IN FORM OF  
CONDITIONS OF OFFERS OR RECOMMENDATIONS TO BE CONSIDERED?

MUST SELLER ADDRESS EACH ARTICLE IN GENERAL CONDITIONS  
EVEN IF SELLER COMPLYS WITH EACH ARTICLE?

GENERAL CONDITIONS (SPECIFIC)

GUARANTEE - IF THERE IS A DEFECT, IN DESIGN MATERIAL, OR  
WORKMANSHIP AND RECTIFICATION PROCESS AFFECTS ANOTHER  
SUPPLIER'S EQUIPMENT IS THE CONTRACTOR (SELLER)  
RESPONSIBLE FOR OTHER SUPPLIER'S EQUIPMENT MODIFICATIONS  
AND WARRANTY?

TERMINATION - DO SELLERS NORMALLY REVEAL PROFIT FACTOR  
IN QUOTATIONS OR IS THIS ESTABLISHED DURING NEGOTIATIONS?

LIQUIDATED DAMAGES - TENDER SUGGESTS SELLER PROPOSE  
PERCENT TO BE PENALIZED. WHAT PERCENT DOES BUYER  
CONSIDER APPROPRIATE?

PATENT INFRINGEMENT - IS BUYER WILLING TO ACCEPT SELLER  
INDEMNIFICATION FOR PATENT INFRINGEMENT IN USA ONLY?

SPECIAL CONDITIONS

TENDER STATES THAT BUYER IS INTERESTED IN LIBERALIZED  
PAYMENT TERMS' WHAT IS CONSIDERED NORMAL AND WHAT IS  
CONSIDERED TO BE LIBERAL?

3. APPRECIATE EMBASSY MAKE EVERY EFFORT OBTAIN ANSWERS  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 124730

TO ABOVE WITHIN WHAT IS ADMITTEDLY SHORT DEADLINE.  
VANCE

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 16 may 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978STATE124730  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** DMW  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780207-0259  
**Format:** TEL  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780552/aaaabskg.tel  
**Line Count:** 96  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 243b3e9c-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN COME  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 02 may 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2674156  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** MAJOR PROJECT: NATIONAL TRANSMISSION SYSTEM  
**TAGS:** BENC, NI  
**To:** LAGOS  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/243b3e9c-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014